IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 20663 of 2004

Between:

Mallekedi Balanagulu, s/o Shankerji,
r/o H.No.2-59, Old Bazar Badepally,
Mahaboobnagar District.

..... PETITIONER

AND

1 The District Panchayat Officer, Mahaboobnagar, Mahaboobnagar District.
2 The Secretary, Grampanchayat, Badepally Village, Mahaboobnagar District.
3 The Sarpanch, Grampanchayat, Badepally Village, Mahaboobnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the actions of the respondents 2 & 3 in rejecting the construction permission of the petitioner in plot No.2A Block No.1 in S.No.47 situated at Badepally Village, Jadcherla Mandal, Mahaboobnagar District and the action of the respondent No.1 in not disposing of the appeal vide Proc.No.A3/415/2004 dt.27-10-2004 as illegal, arbitrary and consequently direct the respondent to accord permission to the petitioner for construction of house in Plot No.2A Block No.1 in S.No.47 situated at Badepally Village, Jadcherla Mandal, Mahaboob Nagar District.

Counsel for the Petitioner:MR.VENUGOPALA RAO PASNOORU

Counsel for the Respondent No.1: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent Nos.2&3: MS.JYOTHI ESHWAR,Standing Counsel for Gram Panchayat

The Court at the stage of admission made the following ORDER:

Against the order passed by the second respondent-Secretary, Grampanchayat, Badepally Village, Mahaboobnagar District, dated 23-12-2003, in rejecting the permission sought by the petitioner for construction of a house, the petitioner filed an appeal before the first respondent-District Panchayat Officer, Mahaboobnagar District, who entertained the appeal, called for the report from the second respondent and also reminded the second respondent through memo vide No.A3/413/04, dated 27-10-2004 informing that though the report was called for seven months back, the same has not been furnished for deciding the matter and to send the report. But so far, the same has not been decided by the first respondent. Hence, the present writ petition.

Since the first respondent has already called for the report on the appeal filed by the petitioner, the first respondent is hereby directed to dispose of the said appeal within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioner.

The writ petition is accordingly disposed of. No costs.

11th NOVEMBER, 2004.

Note: c.c. in two days.

B/o

Kvni

To

1 The District Panchayat Officer, Mahaboobnagar, Mahaboobnagar District.
2 The Secretary, Grampanchayat, Badepally Village, Mahaboobnagar District.
3 The Sarpanch, Grampanchayat, Badepally Village, Mahaboobnagar District.

4 Two CCs to the Government Pleader for Panchayat Raj and Rural Development, A.P.High Court Buildings, Hyderabad. (OUT)

5 Two CD copies.